

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

OLIVER BROWN, et al.,
Plaintiffs,
and
CHARLES and KIMBERLY SMITH, minor
children, by their mother and next
friend, LINDA BROWN SMITH, et al.,
Intervening
Plaintiffs,
vs.
BOARD OF EDUCATION OF TOPEKA,
SHAWNEE COUNTY, KANSAS,
et al.,
Defendants.

No. T-316

ANSWER OF UNIFIED SCHOOL DISTRICT NO. 501
TO PLAINTIFF-INTERVENORS' INTERROGATORY NO. 20

20. State whether since school year [1950-51] the school district has prepared a periodic capital expenditure or building plan. If the answer is in the affirmative, state:

- a. The school years in which each plan was prepared
- b. A detailed description of each plan
- c. The action the school district took with respect to implementing each plan

ANSWER:

In answer to Interrogatory No. 20, Unified School District No. 501 is submitting herewith ten studies, plans or reports which are itemized in the attached response to this Interrogatory. Other documents to which reference is made have been submitted previously as indicated in the attached response. The attached response was prepared under the direction and supervision of Michael D. Tribbey, General Director of Planning and Evaluation Services, with the assistance of Ted Clark, Director of Facilities Planning/Transportation; Donna Hayek, Secretary, Facilities Planning/Transportation; and Debi Smith, Secretary, Planning and Evaluation Services.

RESPONSE TO INTERROGATORY NO. 20

Periodic capital expenditure studies and/or plans have been prepared since the 1950-51 school year. Those studies and/or plans are listed below.

1. Topeka Schools Plan -- A Study of School Building and Site Needs, Bureau of Educational Research, University of Denver, Denver, Colorado, April, 1958.
2. Five-Year Projection of Building Needs, The Public Schools of Topeka, Topeka, Kansas, May, 1966.
3. Recommendations for Attendance Area Changes, 1967-1968, and Steps Implementing Some Building Priority Requirements of the 1966 Five-Year Building Study, The Topeka Public Schools, Topeka, Kansas, January 1, 1967.
4. Five-Year Projection of Building Needs, The Topeka Public Schools, Topeka, Kansas, May, 1967.
5. Five-Year Projection of Building Needs, The Topeka Public Schools, Topeka, Kansas, May, 1968.
6. Projection of Building and Site Needs, The Topeka Public Schools, Topeka, Kansas, June, 1969.
7. Capital Improvements Report, Unified School District No. 501, Topeka, Kansas, 1973.
8. Proposed Short-range Facilities Plan, Unified School District No. 501, Topeka, Kansas, December 3, 1974.
9. Long-range Facilities Plan, The Topeka Public Schools, Topeka, Kansas, March 17, 1975. -6
10. Capital Improvements Report 1975-76, Topeka Public Schools, Topeka, Kansas, April 6, 1976.
11. Long-range Facilities Plan -- Proposed 1976-77 Revision, Topeka Public Schools, Topeka, Kansas, Undated.
12. Capital Improvements Report -- Facilities Planning Study -- 1976-77, Topeka Public Schools, Topeka, Kansas, November 17, 1976.
13. Long-range Facilities Plan -- 1977-78 Revision, Topeka Public Schools, Topeka, Kansas, Undated.
14. 1977-78 Capital Improvements Report, Topeka Public Schools, Topeka, Kansas, Undated.

✓ Copies of items 1-7, 10, 12, and 14 above are attached. Copies of items 8, 9, 11, and 13 have been submitted in response to Interrogatory No. 19. In addition, capital improvements reports projecting five-year building and site needs of the Topeka Public Schools were prepared in 1964 and 1965. Copies of these documents have not been located, so minutes of the Board of Education meetings of September 8, 1964, and June 21, 1965, which include summaries of the recommendations contained in those documents, are attached.

In specific response to parts a and b, the attached documents are self-descriptive and indicate the years in which each document was prepared.

In response to Part C, the definition of "plan" provided in response to Interrogatory No. 19 should be recalled. Only items 8, 9, 11, and 13 conform to that definition of a plan. The remaining items are not plans but, rather, are studies or reports of conditions relative to facilities in the Topeka Public Schools and contain recommendations and/or listings of needs relative to facilities. The Board of Education only received those studies and reports -- no formal action was taken in regard to specific recommendations or projects contained within them at the time of their receipt by the Board. Specific projects were subsequently developed, and the Board acted on them individually as architects were selected, bids were taken, and contracts were let.

Since all reports or studies after the earliest report available, the Topeka Schools Plan--A Study of School Building and Site Needs (April, 1958), until 1973 were essentially progress reports toward implementation of the recommendations of that study, the following summary of actions toward the implementation of its recommendations covers all submitted reports and studies during the 1958-1973 period of time.

SUMMARY OF DISTRICT ACTION TOWARD IMPLEMENTATION
OF THE TOPEKA SCHOOLS PLAN--A STUDY OF
SCHOOL BUILDING AND SITE NEEDS

Site Recommendations (pages 152-154 of report)

Existing Elementary Sites

1. Oakland (Lundgren) -- Site expansion not completed
2. Sumner -- Site expansion partially completed
3. Grant (Sold) -- Site expansion not completed
4. Potwin -- Site expansion partially completed
5. Lowman Hill -- Site expansion partially completed
6. Sheldon (closed) -- Site expansion not completed
7. Highland Park South -- Site expansion completed
8. Highland Park North -- Site expansion partially completed
9. Avondale Southwest (Shaner) -- Site expansion not completed

New Elementary Sites

1. Menninger site -- Acquired and subsequently sold
2. Landon site -- No elementary school was needed.
3. Not later found to be needed
4. McClure site -- Acquired
5. French -- Elementary site acquired but not used.
6. Bishop site -- Acquired
7. Jardine -- No elementary school was needed.
8. Linn site -- Acquired
9. Not later found to be needed
10. Not later found to be needed
11. Not later found to be needed
12. Hudson site -- Acquired, but no middle/junior high school was constructed.
13. Not later found to be needed
14. Quincy site -- Acquired
15. Partially completed

SUMMARY (Continued)

New Junior High School Sites

1. Landon -- Completed
2. Jardine -- Completed
3. Eisenhower -- Completed
4. Part of Hudson -- Not later found to be needed.

Junior High School Site Extensions

1. Curtis -- Not done, all sold.
2. Crane -- Partially done, closed
3. Holliday -- Completed, school demolished.
4. Capper -- Closed as an attendance center
5. Boswell -- Completed, school demolished
6. Roosevelt -- Completed, school demolished
7. Highland Park Central -- Partially completed, old Highland Park Junior High School demolished.

Senior High School Sites

1. Topeka West High -- Completed.
2. Other area in northeast -- Not later found to be needed.

Other Site Problems

1. 23rd & Topeka -- Administrative building completed.
2. Ripley Park site -- No action
3. Completed
4. Completed (due to tornado)

SUMMARY (Continued)

Building Recommendations (pages 157-160 of report)

Elementary School Buildings

New Buildings

All have been completed with the exception that sites #1 and #7 were not needed.

Additions

All have been completed except Sheldon, Potwin, and Gage, which were not later found to be needed.

Abandonment and replacement

Elementary School Buildings

All recommendations have been completed.

Junior High School Buildings

All recommendations have been completed.

Senior High School Buildings

All recommendations have been completed.

SUMMARY (Continued)

Additional Actions

Elementary Schools

- Avondale East -- Additions completed (pp. 25-26 of report)
- Avondale Southwest (Renamed Shaner) -- Additions completed (p. 29 of report)
- Avondale West -- Additions completed (p. 32 of report)
- Buchanan -- Closed as recommended (p. 35 of report)
- Central Park -- Building destroyed by tornado, a new building was constructed and the site was enlarged. (It is no longer an elementary school; it has been enlarged and converted to a middle school -- Robinson Middle School.) (p. 38 of report)
- Clay -- Closed as recommended (p. 41 of report)
- Crestview -- Addition completed (p. 44 of report)
- Gage -- Most recommendations have been followed. (p. 47 of report)
- Grant -- Most recommendations have been implemented. The building was subsequently closed. (p. 50 of report)
- Highland Park Central -- A new building was constructed. (p. 53 of report)
- Highland Park North -- Addition completed (p. 56 of report)
- Highland Park South -- Addition completed (p. 59 of report)
- Lafayette -- No recommendations were made. (Additions have been completed since the report was developed.) (p. 60 of report)
- Lincoln -- Closed (p. 63 of report)
- Lowman Hill -- A new building was constructed as planned. (p. 64 of report)
- McCarter -- No recommendations were made. (Additions have been completed since the report was developed.) (p. 65 of report)
- McKinley -- No recommendations were made since it had been closed. (p. 66 of report)
- Monroe -- Closed (Report recommendations were followed.) (p. 69 of report)
- Oakland (now Lundgren) -- Additions have been completed since the report was developed. (p. 72 of report)
- Parkdale -- Closed (p. 75 of report)
- Polk -- A new building was constructed and then later closed. (p. 78 of report)
- Potwin -- Site was expanded and some remodeling was completed. (p. 81 of report)
- Quincy -- A new building was constructed and later enlarged. (p. 84 of report)
- Quinton Heights -- The recommendations have been implemented. (p. 87 of report)
- Randolph -- Some additions have been completed and other recommendations have been completed. (p. 90 of report)

SUMMARY (Continued)

- Sheldon -- A new building was constructed and later closed. (p. 91 of report)
- Southwest (Now Whitson) -- Repairs have been made as recommended. (p. 94 of report)
- State Street -- Recommendations have been implemented. (p. 97 of report)
- Stout -- No recommendations were made. (p. 100 of report)
- Sumner -- Recommendations have been implemented. (p. 103 of report)
- Van Buren -- Closed (p. 106 of report)
- Washington -- Closed (p. 109 of report)

Junior High Schools

- Boswell -- Recommendations have been implemented. The building was later closed. (p. 111 of report)
- Capper -- Recommendations have been implemented. The building was later closed. (p. 113 of report)
- Crane -- Recommendations have been partially implemented. The building was later closed. (p. 116 of report)
- Curtis -- Recommendations have been implemented. The building was later closed. (p. 119 of report)
- East Topeka -- Recommendations have been implemented. The building was later closed. (p. 122 of report)
- Highland Park -- Recommendations have been implemented. The building was later closed. (p. 125 of report)
- Holliday -- Recommendations have been implemented. The building was later closed. (p. 128 of report)
- Roosevelt -- Recommendations have been implemented. The building was later closed. (pgs. 129-130 of report)

Senior High Schools

- Highland Park High -- Building expansions continue. (p. 133 of report)
- Topeka High -- Recommendations have been implemented. (pgs. 135-136 of report)

Other Facilities

- Trade and Vocational School -- A new KAVTS Facility was built. (p. 137 of report)
- Administration -- A new building was constructed as recommended. (p. 138 of report)
- School Services -- A new building was constructed as recommended. (p. 139 of report)
- Chandler field building -- Recommendations were completed. (p. 140 of report)

In February, 1970, a report entitled A Study of Topeka Junior High Schools — Physical Condition and Adaptability to Remodeling and Expansion prepared by Van Doren-Hazard-Stallings-Schnacke Engineers and Architects was presented and accepted by the Board. Since this report was essentially a review of existing conditions and included no recommendations or specific plans, a copy is not being submitted. (A copy is available in the Facilities Planning Office of the Topeka Public Schools.)

The Capital Improvements Report of 1973 was the next major long-range study of building and site needs. From this report several projects were initiated and some major maintenance programs were begun. A summary of District action on its recommendations follows.

SUMMARY OF DISTRICT ACTION TOWARD
IMPLEMENTATION OF THE 1973 CAPITAL IMPROVEMENT REPORT

Recommendations Concerning Financing (p. 9 of report)

1. No bond election was held.
2. This recommendation was followed in general.
3. This recommendation was followed in general.

Recommendations Concerning Long-range Planning (p. 9 of report)

1. This recommendation was not completed.
2. This recommendation was subsequently implemented.
3. This recommendation was completed.

Recommendations Concerning Existing Facilities and the Long-range Capital Improve-
ments Needs (pgs. 9-11 of report)

1. This recommendation was followed in general.
- 2a. This recommendation was followed with minor modifications.
- 2b. Number 1 was attempted but not completed. Numbers 2 and 3 were completed.
- 2c. All recommendations were completed in general.
3. This recommendation was generally followed as land and monies became available.
4. This recommendation was followed in general.
5. A program was established and followed in general.
6. A program was established and followed. It is in the process of still being implemented.
7. This recommendation was followed with some modifications.
8. This recommendation was generally completed.
9. This recommendation was followed or the school was closed.
10. This recommendation was followed.
11. This recommendation was followed.
12. This recommendation was followed.
13. This recommendation was followed generally.

An attempt has been made to follow the remaining general recommendations contained in the lower half of page 11 of the report.

The 1975-76 Capital Improvement Report dated April, 1976, was an update report to the Board of Education of progress toward implementing the 1973 report.

A detailed description of District action in regard to the Proposed Short-range Facilities Plan, and the Long-range Facilities Plan and subsequent revisions, may be found in response to Interrogatory No. 19. The 1976-77 Capital Improvement Report dated November, 1976, was developed to recommend board action on projects related to the Long-range Facilities Plan. The 1977-78 Capital Improvement Report was an update of the 1976-77 report. It contains a brief school-by-school listing of project priorities as perceived by each school as well as a summary of major and minor capital improvement projects completed or in progress as of that date. No capital improvement reports have been prepared since the 1977-78 report.

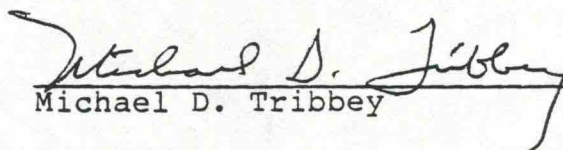
V E R I F I C A T I O N

STATE OF KANSAS)
) ss:
COUNTY OF SHAWNEE)

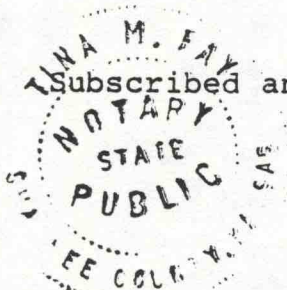
The undersigned, of lawful age, being first duly sworn upon his oath, deposes and states:

That he is General Director of Planning and Evaluation Services for Unified School District No. 501, that he has read the answer to Interrogatory No. 20 of Intervening Plaintiffs' Interrogatories--First Set which was prepared under his general direction and supervision and such answer is true and correct to the best of his knowledge and belief.


Further affiant saith not.



Michael D. Tribbey



Subscribed and sworn to before me this 2nd day of July, 1981.




Notary Public

my appointment expires:
4-24-83

C E R T I F I C A T E O F S E R V I C E

The undersigned hereby certifies that a true and correct copy of the above and foregoing ANSWER OF UNIFIED SCHOOL DISTRICT NO. 501 TO PLAINTIFF-INTERVENORS' INTERROGATORY NO. 20 was served by hand delivering the same this 3^d day of July, 1981, to attorneys for Intervening Plaintiffs by serving Richard Jones, Jones & Jones, 724 1/2 Kansas Avenue, Topeka, Kansas 66603.



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